

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

	X	
DJ MANUFACTURING CORPORATION,	:	
	:	CIVIL NO. 97-1457(JAG)
Plaintiff,	:	
	:	
vs.	:	
	:	
TEX-SHIELD, INC.;	:	
XYZ INSURANCE COMPANIES,	:	
	:	
Defendants.	:	
	X	

**ORDER ON WRIT OF EXECUTION**

WHEREAS on January 20, 1999 and in proceedings held under the auspices of the American Arbitration Association between defendant herein Tex-Shield, Inc. "(Texshield)" and plaintiff herein DJ Manufacturing Corporation ("DJ") on a matter previously referred to arbitration by this Court, the arbitrator issued an award in Tex-Shield's favor and against DJ allowing Tex-Shield to recover the amount of \$583,416.00 from DJ (the "Award");

WHEREAS on June 1, 1999, Tex-Shield moved for confirmation of the Award under the Federal Arbitration Act ("FAA"), 9 U.S.C. § 9, and for entry of judgment with prejudgment interest;

WHEREAS on August 26, 1999, this Court issued an Opinion and Order (the "August 1999 Order") (Docket #40), reported as DJ Mfg. Corp. v. Tex-Shield, Inc., 189 F.R.D. 34 (D.P.R. 1999), and a Partial Judgment (the "Partial Judgment," Docket #41),

confirming the Award and granting Tex-Shield's request for prejudgment interest, but not entering a final judgment because of the pendency of other claims asserted by plaintiff in this case;

WHEREAS on June 28, 2002, this Court granted Tex-Shield's motion to dismiss and a Judgment (the "Judgment of Dismissal," Docket #120) was entered dismissing the Amended Complaint in its entirety with prejudice;

WHEREAS on October 20, 2003 the United States Court of Appeals for the First Circuit affirmed this Court's Judgment of Dismissal, and thereafter on November 19, 2003 the First Circuit further denied appellant's motion for rehearing of said affirmance;

WHEREAS upon renewed motion by Tex-Shield, and given that there is no reason to further delay entry of final judgment on confirmation of the arbitration award, this Court on September 23, 2004 has entered a final judgment ordering plaintiff DJ to pay Tex-Shield the amount of \$583,416.00, plus prejudgment interest of \$218,821.92 at the contractually agreed New Jersey rate of 7.5% for 1999, 7.0% for 2000, 7.5% for 2001, 8% for 2002, 5% for 2003 and 4% for 2004 up to the date hereof, plus post-judgment interest hereafter at rate of set forth in 28 U.S.C. § 1961 (Docket No. 140).

WHEREFORE, it is hereby ORDERED that the Clerk of the Court issue a Writ of Execution directing the United States Marshall to attach assets and properties of the plaintiff DJ Manufacturing Corporation as may be designated by the defendant Tex-Shield, Inc. in satisfaction of the judgment amount of \$583,416.00, plus prejudgment interest of \$218,821.92 for a total amount of \$802,237.92, plus post-judgment interest thereafter on the unpaid portion of the aforementioned amount at the annual rate set forth in 28 U.S.C. § 1961 until the judgment is satisfied in full.

It is SO ORDERED

In San Juan, Puerto Rico, this 20<sup>th</sup> day of October 2004.

s/ Jay A. Garcia-Gregory  
United States District Judge